IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6448 OF 2004

Galaxy Surfactants Ltd. ..Petitioner.

V/s.

Union of India & Ors. ..Respondents.

Mr.E.P.Bharucha, senior counsel i/b. Aksar Laws for petitioner.

Mr.A.J. Rana, senior counsel for respondents.

CORAM : R.M. LODHA AND

J.P.DEVADHAR, JJ.

DATED : 4TH AUGUST, 2004.

P.C. :-

. Heard Mr.E.P. Bharucha, the Learned senior counsel for petitioner and Mr.A.J. Rana, the Learned senior counsel for respondents 1 to 4.

2. Rule. Returnable forthwith.

3. By consent of the learned senior counsel for the parties, the writ petition is heard finally at this stage.

4. During the course of hearing, learned counsel for the petitioner submitted that two months time be given to the petitioner for submission of DEEC containing details of import and export duty endorsed and signed by the customs authorities to respondent No.3 viz. the Joint Director General of Foreign Trade and the necessary document regarding discharge of export obligation and until then and for a period of two months thereafter the bank guarantees furnished by the petitioner shall be kept alive.

5. The learned senior counsel for the respondents 1 to 4 was not averse to extention of time to the petitioner for submission of DEEC and the requisite documentary evidence but submitted that all the bank guarantees furnished by the petitioner must be directed to be kept alive for a period of one year from today.

6. Having considered the submissions of the learned senior counsel for the parties, we are satisfied that following order shall meet the ends of justice:

i) The time for submission of DEEC containing details of import and export duly endorsed and signed by the customs authorities to the

respondent No.3 and the necessary document regarding discharge of export obligation is extended by a period of two months from today.

ii) The time aforesaid granted for submission of DEEC and the requisite document regarding discharge of export obligation is conditional upon the petitioner keeping alive all the five bank guarantees until submission of the aforesaid documents by the petitioner and for a period of two months thereafter.

iii) No costs.

. Parties may be provided ordinary copy of the order duly authenticated by the Court Sheristedar on payment of usual copying charges.

(R.M. LODHA, J.)

(J.P.DEVADHAR, J.)